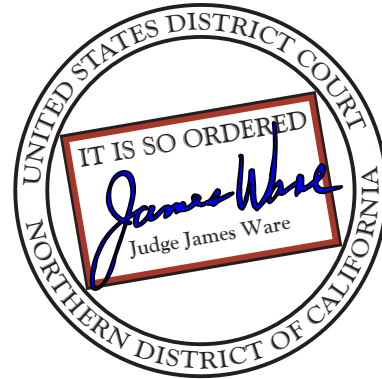


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Counsel for Defendant BARRETT



IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 05-00077 JW
)	
Plaintiff,)	STIPULATION TO CONTINUE
v.)	HEARING DATE AND EXCLUDE
)	TIME; ORDER
MICHAEL BARRETT,)	
)	
Defendant.)	
_____)	

Defendant and the government, through their respective counsel, hereby stipulate that, subject to the Court's approval, the status conference set for October 17, 2005, should be moved to October 31, 2005, at 1:30 p.m. or as soon thereafter as the hearing may be set. The parties jointly request the continuance in order to finalize the terms of a proposed plea agreement.

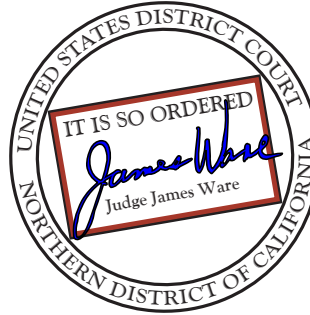
The parties further agree that time should be excluded under the Speedy Trial Act for effective defense preparation, and because the ends of justice outweigh the defendant's and the public's need for a speedy trial.

Dated: 10/12/05

/s/
LARA S. VINNARD
Assistant Federal Public Defender

Dated: 10/12/05

/s/
MATTHEW HARRIS
Assistant United States Attorney



IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL BARRETT,

Defendant.

No. CR 05-00077 JW

**ORDER CONTINUING
HEARING AND EXCLUDING TIME**

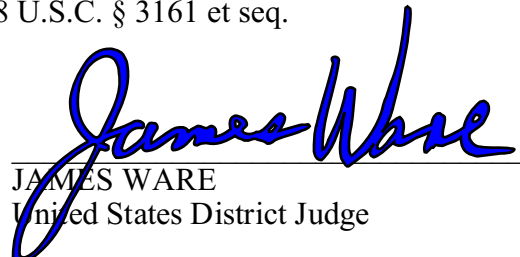
The parties have stipulated to continue the status conference in this matter from October 17, 2005, to October 31, 2005, at 1:30 p.m., to allow time for the parties to finalize the terms of a proposed plea agreement.

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the status conference in this matter is continued to October 31, 2005.

Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time from October 17, 2005 to October 31, 2005, be excluded from the period of time within which trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

IT IS SO ORDERED.

Dated: 10/14/05


JAMES WARE
United States District Judge